FORM MR-TRL Revised 03/31/2009

STATE OF UTAH DEPARTMENT OF NATURAL RESOURCES DIVISION of OIL, GAS and MINING

1594 West North Temple, Suite 1210 Box 145801 Salt Lake City, Utah 84114-5801 (801) 538-5291

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APPLICATION FOR TRANSFER OF NOTICE OF INTENTION TO COMMENCE LARGE MINING OPERATIONS

Application is hereby made to transfer the permit to c	commence large mining operations for the
Koosharem Clay	mine, permit # M/031 /0002, currently
operated by Paradise Management, Inc.	(transferor)
to Holcim (US) Inc.	(transferee)

As used herein, TRANSFEROR refers to the <u>current operator</u>; TRANSFEREE refers to the <u>proposed new operator</u>; NOI refers to the Notice of Intention to Commence Large Mining Operations; PERMIT refers to the approved (or accepted) NOI, including the reclamation contract and reclamation surety.

Upon approval of the Application for Transfer:

- 1. The Transferor agrees to transfer all rights and obligations to operate under the terms of the NOI to the Transferee, The Transferor will not retain any rights to conduct mining operations within the area covered by the approved NOI.
- 2. Both parties understand the transfer of the **NOI** is not complete until all the applicable requirements are met, including the submittal and Division approval of an appropriate reclamation surety and a reclamation contract.
 - 3. The transferee has read and has a copy of the current NOI.
 - 4. The Transferee has inspected the site and is fully aware of all existing conditions and responsible for compliance with the conditions of the permit and the obligations regardless of the nature of the conditions at the site.
 - 5. Transferee shall conduct mining operations on lands included in the NOI in accordance with the Utah Mined Land Reclamation Act, (ACT) Sections 40-8-1 et seq., Utah Code Annotated, (2005, as amended), and the rules promulgated under the ACT (R647- et seq., and the approved NOI.
 - 6. The Transferee shall provide a surety in a form and amount approved by the Division to assure reclamation of the lands affected by the mining operations.

The **Transferor** will remain liable for compliance at the mine site until this transfer application is approved.

The signatory below represents that he/she has authority to execute this transfer on behalf of the Transferor, if not a natural person. Statements made in the application are true and correct to the best of my knowledge and belief.

TRANSFEROR:		
Paradise Management ,Inc.		
Operator/Transferor Name		
_{Bv} Don W. Fullmer		
Name of Authorized Officer (Typed or Printed)		
President		
Title of Authorized Officer		_
Mon W. 7 nllm	8-7-	n 9
Officer's Signature	Date	_6 /
•		
STATE OF //Jan	١	
OTATE OF TOTAL		
COUNTY OF)	
	,	
On the 7th day of August, 20 cg,	Dan W.	Fullmer
personally appeared before me, who being	by me duly sworn of	lid say that he/she is
an <u>owner</u> (owner, officer,	director, partner, ag	gent or other (specify))
of the Operator		
and duly acknowledged that said instrumer		
by authority of its bylaws, a resolution of its be required to execute the same with full at		
be required to execute the same with full at	uthority and to be bo	und hereby.
1 10 1		
Chyn an Jarbet Novery Public		
· 1		YCE W TARBET
7.5 w. 500 S. Residing at	MOTARY	PUBLIC • STATE of UTAM
Residing at		West 800 South Himore, UT 84631
My Commission Expires:	COM	M. EXP. 08-26-2010
My Commission Expires:		

The signatory below represents that he/she has authority to execute this transfer on behalf of the Operator/Transferee, if not a natural person; and the operator/transferee is a properly organized entity in good standing under the laws of Utah and the United States, is registered as an entity authorized to do business in the State of Utah. Statements made in the application are true and correct to the best of my knowledge and belief.

TRANSFEREE:	
Holcim (US), Inc.	
Operator/Transferor Name	
_{Bv} Gian Raffainer	
Name of Authorized Officer (Typed or Printed)	
V.P. Manufacturing	
Title of Authorized Officer	09/23/09
Officer's Signature V	Date
STATE OF	_)
COUNTY OF Cook	_)
On the <u>23</u> day of <u>Sept</u> , 20 <u>09</u> , <u>G</u> personally appeared before me, who being by m	19 Raffainer
	ctor, partner, agent or other (specify)
and duly acknowledged that said instrument was	
by authority of its bylaws, a resolution of its boar be required to execute the same with full author	•
Kathan Mardall	,
Notary Public Cook Country, Illinois	"OFFICIAL SEAL" Kathryn J. Mandahl Notary Public, State of Illinois
Residing at	My Commission Expires 07-23-2012
7/23/2012	
My Commission Expires:	

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STATE OF UTAH DEPARTMENT OF NATURAL RESOURCES DIVISION OF OIL, GAS AND MINING

1594 West North Temple Suite 1210 Box 145801

Salt Lake City, Utah 84114-5801 Telephone: (801) 538-5291 Fax: (801) 359-3940

NOTICE OF INTENTION TO COMMENCE LARGE MINING OPERATIONS

The informational requirements of this form are based on provisions of the Mined Land Reclamation Act, Title 40-8, Utah Code Annotated 1987, and the General Rules as promulgated under the Utah Minerals Regulatory Program. (R647-4-et seq.)

These pages will replace the corresponding pages in the original NOI.

1. GENERAL INFORMATION

1. Name of Mine: Koosharem Clay	
Legal name of entity (or individual) for whom the permit is being requested:	
Mailing Address: Holcim (US) Inc. 6055 E. Croydon Rd.	
City, State, Zip: Morgan, Utah 84050	
	_
Phone: (801) 829-2184 Fax: (801) 829-2180	
E-mail Address: Keith.krugh@holcim.com	
There of Desires	
Type of Business:	
Corporation X , LLC, Partnership – general or limited,	
Sole Proprietorship (dba), or Individual	
Entity must be registered (and maintain registration) with the State of Utah, Division of	
Corporations (DOC).	
Are you currently registered to do business in the State of Utah? Yes No	
Entity # —————	
If no, contact DOC at www.commerce.utah.gov to renew or apply.	
Local Business License # : 78 (if required)	
Issued by: City: or County: Morgan County	
If Business is a Sole Proprietor:	
Name of owner: Title:	
Business Address:	
City, State, Zip:	
Phone: Fax:	
E-mail Address:	
If Business is a Partnership:	
Name of Partner:	
Business Address:	
City, State, Zip:	_
Phone: Fax:	
F-mail Address:	

Business is a Corporation: Name of Officers: Bernard Trever		Title:	Preside	ent	
Filiberto Ruiz		Title:	Sr. V.P	. Manufactu	
Gian Raffainer			V.P. M	anufacturin	9
Jay Tangney		Title:	Secreta	ary and Ger	neral Counci
Corporate Address: 201 Jones Rd.					
City, State, Zip: Waltham, MA 02451					
Phone: (781) 647-2501	_ Fax: _	(781-647-2517)			
E-mail Address:					•
Business is a Limited Liability Com	nany: Mor	nher Managed		Manager	Managed
Name of 1 st Member/Manager:					
Business Address:					
City, State, Zip:					
Phone:	Fax:				•
E-mail Address:					
2nd Member/Manager:					
Business Address:					
City, State, Zip:					
Phone:					
E-mail Address:					
ntacts: This person may be notified for: per		surety <u>×</u>		Notices <u>></u>	(
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This person may be notified for: per (please check all that apply) Name: Keith Krugh)	surety <u>×</u> Title:			-
This person may be notified for: per (please check all that apply) Name: Keith Krugh Address: 6055 E. Croydon Rd.)				-
This person may be notified for: per (please check all that apply) Name: Keith Krugh Address: 6055 E. Croydon Rd. City State Zin: Morgan, Utah 84050)	Title:	Plant		-
This person may be notified for: per (please check all that apply) Name: Keith Krugh Address: 6055 E. Croydon Rd. City, State, Zip: Morgan, Utah 84050 Phone: (801) 829-2181) Fax:	Title:	Plant	Manager	-
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3. Certification:

This certification must be signed by:

- (1.) an executive officer if the applicant is a corporation;
- (2.) a partner if applicant is a partnership (general or limited);
- (3.) the owner if applicant is a sole proprietorship;
- (4.) the member or manager if applicant is a limited liability company; or
- (5) the individual if the applicant if filing as an individual:

I state under penalty of perjury under the laws of the state of Utah and the United States of America that:

- a. Paradise Management, Inc. (transferor), has provided a copy of the approved mining and reclamation plan. I will follow the approved mining and reclamation plan until such time that I provide the Division with an amended Notice of Intention (plan) and receive approval of the amended Notice; AND
- b. I commit to the reclamation of the aforementioned large mining operation as required by the Utah Mines Land Reclamation Act (40-8) and the rules as specified by the Board of Oil, Gas and Mining.

Signature:	***	Date:	09/23/09
Name (typed or printe	Gian Raffainer		
Title/Position (if applic	able): V.P. Manufacturing		